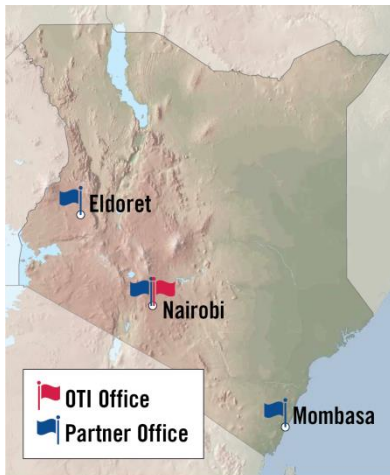




Office of Transition Initiatives

KENYA



OTI MISSION STATEMENT

To support U.S foreign policy objectives by helping local partners advance peace and democracy in priority countries in crisis. Seizing critical windows of opportunity, OTI works on the ground to provide fast, flexible, short-term assistance targeted at key political transition and stabilization needs.

FAST FACTS

Start Date: January 2011
Budget: \$28.7M
TI: \$12.1M
ESF: \$4.9M
1207: \$325K
DRG: \$500K
PRACT: \$820K
PER: \$250K
CCF: \$7M
ES- Coast: \$1.5M
Youth Fund: \$1.4M

PROGRAM DESCRIPTION

The Kenya Transition Initiative (KTI) program, implemented through USAID's Office of Transition Initiatives (OTI), contributes to the U.S. Government's broad-based policy goal of a stable Kenyan polity that mobilizes citizen participation around a national identity and political party platforms rather than ethnic identities. The program was launched in June 2008; four months after Kenya's competing political parties adopted a national peace accord¹ and power-sharing agreement to stem devastating inter-ethnic violence that followed the hotly contested December 2007 national elections. Since then, KTI's engagement in Kenya has supported both national and local-level stabilization and transition efforts that mitigate political and social volatility and reduce vulnerability to violence. The program assists Kenyan state and non-state actors based on the following over-arching objectives:

- Enable public institutions to undertake fundamental reforms and to manage instability and uncertainty.
- Mobilize the public, especially the youth and key change agents, to demand accountability and reform.

In March 2013, Kenya carried out its first General Election under the 2010 Constitution. The elections not only gave Kenya a new president but also gave birth to the new devolved system of governance. In response to these contextual developments, KTI refocused its programming to strengthening public institutions at the county level, helping them to become more proficient, transparent, accountable, and inclusive in governance and service delivery. The program also began working with civil society organizations to effectively represent citizen's interests and aspirations to the county governments.

KTI was implemented by Development Alternatives, Inc. (DAI) under a task order that closed in May 2011. Chemonics International Inc. has implemented KTI under a separate task order since January 2011. The project will run through January 2015, contingent on available funding. This report covers the period between April 1, 2013 and June 30, 2013.

PROGRAM AREAS

Public Institution Strengthening: The 2007/2008 Post Election Violence in Kenya highlighted the need for an inclusive government that would give the

Assembly of Kenya to facilitate the power-sharing agreement between Former President Mwai Kibaki and Former Prime Minister Raila Odinga and was necessitated by the 2007/2008 political crisis.

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powers of self-governance to the people while enhancing their active participation in political decision-making. In an effort to redress ingrained regional inequalities and poor governance that the PEV brought to light, the 2010 constitution of Kenya called for a transformative devolved government structure with power transferred from the national government to new county governments. Devolution is intended to provide a structure of equitable national and local resource sharing aimed towards enabling national unity while at the same time promoting democratic and accountable governance. As Kenya makes this transition, it is imperative for both state and non-state actors to understand their mandate and develop mechanisms that will enable them to carry it out effectively. KTI identified several ways to partner with public institutions in different counties to help them increase their knowledge and understanding of their role in the devolution process as envisioned in the new constitution.

Working with County Executive Committees: To enable select County Executive Committees (CEC) to effectively discharge their duties as mandated by the constitution, KTI provided the CEC in Kwale with a three day training on their roles and responsibilities. This training helped clear up misunderstandings on the constitutional mandate of each staff position within the CEC. The training also enabled the CEC to better understand the county planning process; especially on how to generate the county integrated plan, the sectorial plan, and the fiscal strategy paper. The eleven team members were also taken through the various devolution acts as well as operations and procedures set up by the Kenyan government with emphasis on governance and ethics. Through the CEC trainings, KTI helped increase their overall capacity and improve service delivery. In the next quarter KTI will roll out the CEC capacity building program to additional counties, including Homa Bay.

To standardize the curriculum for the County Executive, KTI helped the Kenya School of Government develop a course syllabus that would ensure that all CECs have access to the same information on devolution. This will ensure that the training curriculum for the county executives is harmonized across Kenya.

Enhancing Records Management: With the transition from a centralized to devolved government system, a majority of county governments were eager to prove to their citizens that their autonomy would not equate to poor service delivery. To restore the public's faith in government, KTI piloted a record management system for two counties that were at the epicenter of violence in the disputed 2007 general election. In Nandi and Uasin Gishu County, KTI is helping the county governments build the capacity of their registries. Because record management of land and human resource files at the registries has historically been extremely poor, KTI is helping streamline the process by assisting the county governments restructure the way their registries are run. This will be accomplished by consolidating three existing registries into a central county registry that will be housed in the county offices. In addition KTI is supporting the registries' efforts to digitize more than 10,000 case files from each county to develop an electronic database for case management. By helping reconcile and document crucial records in the County government, KTI is facilitating the identification of public property as a safeguard to prevent mismanagement or abuse of public assets.

Media: The media demonstrated its influence during the 2013 general election with its extensive campaign to maintain peace and calm. To build on that success, manage community expectations, and ensure that active citizen participation in the devolution process does not stop at the ballot box, KTI partnered with the media in the Rift Valley region. This partnership is meant to ensure local media continues to sensitize and educate the public on the virtues, opportunities, and challenges presented by devolution. The Rift Valley is a region where a large portion of the population spends the bulk of their time outdoors and relies heavily on radio as a source of information. KTI leveraged the influence of radio by partnering with a local Kalenjin Radio station, [REDACTED] to provide a platform for discussions on the roles and responsibilities of the new leaders in the devolved system by engaging objective professionals who broke down devolution into easily understood components. By providing objective messages through a series of 17 radio programs, KTI has ensured that there was a continuous and objective discussion on devolution and reduced the chances of the public being misled or misinformed.

COUNTRY SITUATION

Transition of Power: In the last quarter, Kenya carried out its first general election under the 2010 constitution. During the election, Kenyans elected county governors, senators, county wards representatives, women representatives, and members of parliament. The elections were hotly contested between the former Prime Minister Raila Odinga and the former Deputy President Uhuru Kenyatta. Mr. Uhuru Kenyatta was declared the winner of the election by the Independent and Electoral Boundaries Commission (IEBC). This decision was upheld by the Supreme Court of Kenya after a hearing a case challenging the declaration. In this quarter, Mr. Kenyatta was sworn in as Kenya's fourth president, pledging to reconcile the country with the promotion of peace and ending the cycle of violence that accompanied past elections. In his new capacity as President, Mr. Uhuru Kenyatta streamlined the

previous 44 ministries into 18 key ministries² and nominated candidates to lead them,³ adhering to the two thirds gender rule enshrined in the 2010 constitution. The 18 nominated individuals were then vetted, presented to parliament, and confirmed in their positions.

In select counties the Transition Authority has facilitated the transfer of functions from the national government to county governments. However there have been concerns by the Commission for the Implementation of the Constitution (CIC) on the speed in which the transfer of authority to county government is taking place. In particular, the CIC has expressed concerns that if the process is rushed it risks paralyzing devolution as many counties lack sufficient structures to effectively carry out their mandate as stipulated in the constitution. However, despite a continuing debate in parliament about the overall funding level, county governments have begun to receive limited funding from the central government.

Truth and Justice Reconciliation Report: After the flawed 2007 general election, a component of the national dialogue and reconciliation process was the establishment of a commission that would address historical injustices. The resulting Truth Justice and Reconciliation Commission (TJRC) was set up to promote peace, justice, national unity, healing, and reconciliation among the people of Kenya. The commission was mandated with traversing the country to hear cases on past injustices through public hearings, and to document them. In 2012, KTI helped support the TJRC to fulfill their mandate by providing logistical support that enabled them to fact-find and research the material that it had collected. In this quarter, the work of the TJRC came to a head when it handed over its final report to the incumbent President. The report identified numerous individuals from past and current administrations, citing them for various historical injustices. Land grabbing and incitement in the 2007 general election were the most frequently cited offenses, but the report also detailed political assassinations, torture of detainees, and repressive operations by security forces as well. The politicians who were identified in the report have strongly refuted the report and have accused the commission of not investigating the public allegations adequately.

National Assembly vs. Senate: Members of the National Assembly and the Senate have been engaged in a heated debate over which of the two houses is superior. This was further heightened by discussions pertaining to the Division of Revenue Bill 2013, which has been passed by parliament and assented to by the president. This bill has caused the Senate to feel that the National Assembly has over stepped its mandate and runs the risk of assuming powers that counter to the wording of the constitution. Conversely, the National Assembly feels that the Senate had no constitutional mandate to revisit the Bill. The Senate has currently appealed to the Supreme Court of Kenya for advice on steps to take to ensure that the bill is not enacted into law. The bill, which deals with the amount of money that is to be allocated to the Counties from the National Government, has degenerated into a political scuffle between the two houses, with both seemingly pushing their own agenda.

ICC Trials: The Deputy President and the President will both go on trial at The Hague for crimes against humanity resulting from the 2007/2008 post election violence. The International Criminal Court (ICC) has ruled that Deputy President William Ruto does not need to attend all the trial court proceeding and must only attend key sessions of the trial. The sessions are set to start in September 2013.

Insecurity: There have been slight insecurity incidences in Western and Northern Kenya with various militias attacking local residents. This has led to a heightened sense of insecurity in those regions and the deployment of security forces to ensure that peace is maintained. At the Kenyan-Somali border six people, including two police officers, were killed during an attack on two police posts by suspected Al-Shabaab terrorists. This attack is viewed as retaliation for Kenya's incursion into Somalia to create a buffer zone between extremist groups and the Kenyan Border and its participation in the UN- and AU-backed AMISOM forces deployed throughout Somalia.

UPCOMING EVENTS

July 2013 - First by-election to be held following the death of the Senator for Makueni

GRANTS SUMMARY

Through June 30, 2013, OTI through its implementing partner Chemonics, has funded a total of **394** activities (including cleared, completed, and closed grants, short-term technical assistance (STTA) and direct distribution of goods and services activities (DDGS)) totaling **\$13,751,468**. During this reporting period, a total of **\$2,301,183** was cleared in activities while **\$1,704,185** was disbursed in activities. The breakdown by sector is as follows:

² The new ministries are detailed on this webpage : <http://www.businessdailyafrica.com/-/539546/1751972/-/qng29b/-/index.html>

³ These are the names of the new cabinet secretaries: <http://www.standardmedia.co.ke/?articleID=2000082287>

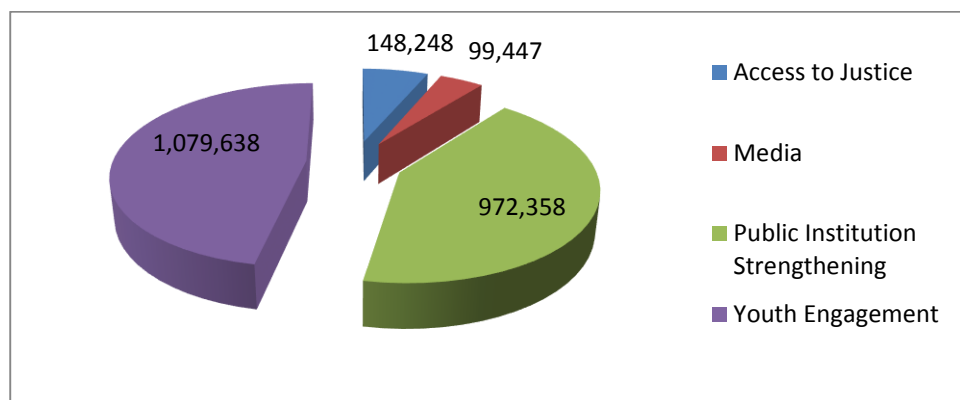
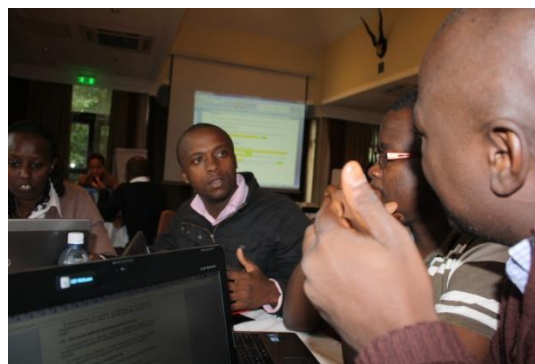


Figure 1: The figure above shows the amount in USD spent on grant activities in the quarter

ACTIVITIES

Unpacking Devolution Training: As Kenya transitions to the newly devolved governance structure, there is a clear need for KTI program staff to increase their knowledge and understanding of the devolution process as envisioned in the new constitution. With program staff empowered on devolution, they will be able to ensure that KTI continues with its strategic and timely programming. To accomplish this goal, KTI piloted a training on devolution for 35 of its program staff. The staff were taken through a three day devolution course, taught by the Kenya School of Government, which focused on three components of devolution: functional analysis in the new devolved structures, citizen participation in the devolution process, and principles of public finance management. By building the capacity of KTI staff in the area of devolution, KTI has been able to develop programming that promotes accountability and effective citizen participation with more than \$760,000 cleared in devolution related activities this quarter. The pilot training will also be used to build training modules for civil society members and rolled-out in numerous activities in the coming months.



Building the Capacity of Coast Based Journalist on Key Aspects of Devolution: The media in Kenya is not only a source of entertainment and information it is also a source of education. The media houses and journalists are useful allies for citizens in their quest to make county government work effectively and to hold national and county governments accountable. Through KTI's support, 60 journalists from the coastal region of Kenya will go through a series of trainings to build their capacity and increase their knowledge and understanding of the devolution process. The trainings will specifically focus on the county planning process, how to report on county assembly proceedings, county budget literacy, government structures, and public participation. The journalists will also be provided with a platform to engage with county governments in the coastal region. With the training received, the reporters will ensure that accurate information is passed on to the public and that media fulfills its role as a watchdog over government, holding county governments in the region accountable for progress.



Journalists attend the devolution training.

Strengthening the capacity of the Voi Police Station: Under CHXNBO013, KTI supported Usalama to carry out a needs assessment of 21 police stations in Kenya. The assessment identified the need for a total overhaul of the police system in Kenya. The report noted that while service delivery was important, there was an urgent need to strengthen the capacity of select police stations to effectively respond to the needs of the community. In a pilot project, KTI partnered with Usalama to transform the Voi police station into a community-oriented police station that fosters collaboration between the police and the community. KTI is supporting infrastructure improvements to the station,

including interior and exterior paint, ceiling repairs, internal partitioning, internal lighting and wiring, floor refurbishment, as well as reinforcements to doors and windows. In addition to the infrastructure upgrades, KTI is supporting Usalama's work to improve community police partnership through the five safety forums. During these forums the community will be informed on what police work entails, the role of community safety groups, as well as the powers that the police have according to the National Police Service Act 2011. In addition, KTI is helping Usalama organize induction meetings with the 75 police officers based at the police station to better explain current reforms and changes taking place within the police service and what they can do to ensure that Voi is a model police station. Through KTI's ongoing support, the Voi police station pilot project will provide the basic tenants for a model police station that can be adopted and applied country-wide to improve community safety and security.

PROGRAM EVALUATION AND UPDATES

During this reporting period KTI closed its office in Kericho as part of its plan to consolidate operations in the Rift Valley. The Kericho office was primarily designed to cater to the needs of the South Rift region. KTI moved some staff and equipment to the Eldoret office and will manage programming in the South Rift from there.

CONTACT INFORMATION

Chemonics Points of Contact

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Visit the OTI website at <http://www.usaid.gov>,
key word "OTI"

KTI received \$1.4 million from USAID to support devolution activities as part of USAID's efforts to bridge devolution programming until its large devolution assistance program comes online later this year. KTI committed a significant portion of this funding by the end of the reporting period in order to begin work in multiple counties in the Rift Valley, Central, and Coastal regions.

A team of consultants visited Kenya in June in order to complete the final evaluation of the program. The consultants met with staff, grantees, and other project stakeholders. The final report is expected later this year.